

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 91-411-T - ORDER NO. 91-802
OCTOBER 8, 1991

IN RE: Application of Terra First, Inc., 3rd) ORDER
Street and 4th Avenue, SW, P.O. Box 1249,) AMENDING
Vernon, Alabama 35592, to Amend Class F) CERTIFICATE
Certificate No. 2321.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application of Terra First, Inc. (the Applicant), whereby the Applicant seeks certain relief in the nature of the approval of an amendment to its Class F Certificate of Public Convenience and Necessity No. 2321 which currently authorizes motor freight service under contract as follows:

WASTE INDUSTRIAL MATERIALS: From Spartanburg, SC to Harleyville, SC and Pinewood, SC, under contract with Southern Wood Piedmont Company.

By this Application, the Applicant seeks to amend the Certificate, so that, if amended, it would authorize motor freight service under contract as follows:

WOOD PRESERVATIVE CONTAMINATED SOIL; AND HAZARDOUS WASTES, CONSISTING OF ANY WASTE OR COMBINATIONS OF WASTE, OF A SOLID, LIQUID, CONTAINED GASEOUS OR SEMISOLID FORM, WHICH BECAUSE OF ITS QUANTITY, CONCENTRATION, OR PHYSICAL, CHEMICAL OR INFECTIOUS CHARACTERISTICS IS DEFINED BY SECTION 44-56-20(6) OF THE 1979 CUM. SUPP. 1976 CODE OF LAWS OF SC, AND AS

AMENDED, AND IS IDENTIFIED BY RULE 61-79.1B PROMULGATED BY THE SC DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, EFFECTIVE MARCH 31, 1980, AND AS AMENDED, INCLUDING WOOD PRESERVATIVE CONTAMINATED SOIL: From Spartanburg, SC, to Harleyville, SC; AND WASTE INDUSTRIAL MATERIALS: From Spartanburg, SC, to Harleyville and Pinewood, SC, under contract with Southern Wood Piedmont Company.

Subsequent to the initiation of this proceeding, the Commission Staff instructed the Applicant to cause to be published a prepared Notice of Filing in certain newspapers of general circulation in the State of South Carolina. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate pleadings. No Protests or Petitions to Intervene were filed with the Commission. The Notice of Filing was duly published in the State Register.

Upon consideration of the Application, the representations contained therein and the documentary evidence attached thereto, the Commission finds that the Applicant is fit, willing and able to perform the service to the public under the authority sought. The Commission also finds that the amending of the certificate is required by public convenience and necessity.

IT IS THEREFORE ORDERED:

1. That the Application to amend Class F Certificate of Public Convenience and Necessity No. 2321 be, and hereby is, approved.

OCTOBER 8, 1991
PAGE 3

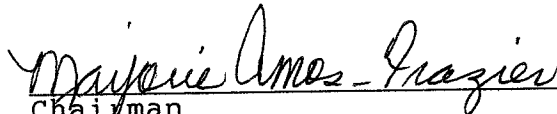
2. That the Applicant file the proper license fees and other information required by S.C. Code Ann., Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order or within such additional time as may be authorized by the Commission.

3. That upon compliance with S.C. Code Ann., Section 58-23-10, et seq. (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.

4. That prior to compliance with such requirements and receipt of a Certificate, the motor carrier services authorized herein may not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)